

House Criminal Justice Subcommittee Am. #1

Amendment No. _____



Signature of Sponsor

FILED	
Date	_____
Time	_____
Clerk	_____
Comm. Amdt.	_____

AMEND Senate Bill No. 432*

House Bill No. 1286

by deleting Section 2 in its entirety and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 39-16-201(c), is amended by deleting the subsection and substituting instead the following:

(c) A violation of subdivision (b)(1) or (b)(2) is a Class C felony. A violation of subdivision (b)(3) is a Class E felony. A violation of subdivision (b)(4) is a Class E felony if the device was used to violate or facilitate the violation of § 39-16-507, § 39-16-508, or § 39-16-605.



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House Criminal Justice Subcommittee Am. #1

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AMEND Senate Bill No. 1041*

House Bill No. 1207

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-1-128, is amended by adding the following new subsection (c) and redesignating existing subsections accordingly:

(c)

(1) In addition to identifying prescribers pursuant to subsections (a) and (b), beginning July 1, 2017, and annually thereafter, the department shall identify high risk prescribers based on clinical outcomes, including patient overdoses.

The determination of which providers are high risk prescribers, including the criteria to make such determination, shall be made by the department. Providers determined to be high risk prescribers pursuant to this subdivision (c)(1) shall be subject to selected chart review and investigation by the department.

(2) If a prescriber is identified as a high risk prescriber pursuant to subdivision (c)(1), the department shall submit a high risk prescriber's information to the board that issued the prescriber's license for appropriate action.

(3) Upon receiving information pursuant to subdivision (c)(2), the licensing board shall notify the prescriber, and, if applicable, the prescriber's supervising physician, of the prescriber's identification as a high risk prescriber and, as applicable, require the prescriber to:



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(A) Participate in continuing education that is designed to inform providers about the risks, complications, and consequences of opioid addiction. The specific continuing education courses and number of hours to be completed by the prescriber shall be determined by the licensing board;

(B) Make available, in the prescriber's waiting room and clinic areas where the prescriber's patient can view, educational literature that warns persons of risks, complications, and consequences of opioid addiction. The specific literature to be made available pursuant to this subdivision (c)(2)(B) shall be determined by the department and made available on the department's website;

(C) Obtain written consent that explains the risks of, complications of, medical and physical alternatives to, and consequences of opioid therapy and addiction to any patient who will receive opioid therapy for more than three (3) weeks with daily dosages of sixty (60) morphine milligram equivalents (MME) or higher. The consent shall include a certification from the patient that the patient understands the information. In order to continue to treat the patient, the provider must assure that the consent is signed by the patient and made part of the patient's health record; and

(D) Renew the consent described in subdivision (c)(3)(C) at four-week intervals for patients who continue to receive opioid therapy. In order to continue to treat the patient, the provider must assure that the consent is signed by the patient and made part of the patient's health record.

(4) An identified high risk prescriber must comply with the requirements set out in subdivision (c)(3) for a period of one (1) year from the time the provider was notified of the provider's identification as a high risk prescriber of opioids. Failure of a prescriber to comply with the requirements set out in subdivision (c)(3) shall be treated as an act constituting unprofessional conduct for which disciplinary action may be instituted under the authority of the board that issued the prescriber's license.

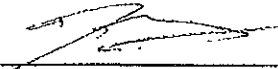
(5) All costs associated with this subsection (c) shall be paid by the identified provider.

(6) If the provider disputes the identification of the provider as a high risk prescriber of opioids, the provider may request a contested case hearing. Any contested case hearing held pursuant to this subdivision (c)(6) shall be conducted in compliance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 1260

House Bill No. 1041*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-114, is amended by adding the following as a new subdivision:

At the time the instant offense was committed, the defendant was an alien illegally or unlawfully in the United States;

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.



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House Criminal Justice Subcommittee Am. #1

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AMEND Senate Bill No. 825

House Bill No. 583*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-417(i), is amended by adding the following as a new subdivision:

() Five (5) grams or more of any substance containing fentanyl;

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.



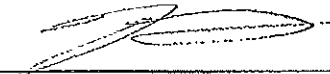
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Amendment No. _____



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AMEND Senate Bill No. 781

House Bill No. 1339*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-14-107(b)(1), is amended by deleting the subdivision and substituting instead the following:

(1) A full-time assistant public defender shall be compensated according to the following pay schedule:

Entry level	\$55,700
after one (1) year	\$58,688
after two (2) years	\$61,688
after three (3) years	\$64,688
after four (4) years	\$67,712
after five (5) years	\$70,676
after six (6) years	\$73,676
after seven (7) years	\$76,688
after eight (8) years	\$79,712
after nine (9) years	\$82,676
after ten (10) years	\$85,688
after eleven (11) years	\$88,676
after twelve (12) years	\$91,640
after thirteen (13) years	\$94,640
after fourteen (14) years	\$97,616
after fifteen (15) years	\$100,604
after sixteen (16) years	\$103,604



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after seventeen (17) years	\$106,316
after eighteen (18) years	\$108,956
after nineteen (19) years	\$111,488
after twenty (20) years	\$113,888
after twenty-one (21) years	\$117,392
after twenty-two (22) years	\$120,980
after twenty-three (23) years	\$124,688
after twenty-four (24) years	\$128,816
after twenty-five (25) years	\$132,920.

SECTION 2. This act shall take effect June 30, 2017, the public welfare requiring it.

Amendment No. _____



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AMEND Senate Bill No. 1415

House Bill No. 1402

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-311(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b)

(1) A violation of subdivision (a)(1) is a Class E felony.

(2) A violation of subdivision (a)(2) is a Class A misdemeanor.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.




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House Criminal Justice Subcommittee Am. #1

Amendment No. _____



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AMEND Senate Bill No. 443*

House Bill No. 481

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 8-14-107(a), is amended by adding the following language after the second sentence of the subsection:

Effective June 1, 2017, the salary for district public defenders shall be one hundred sixty-five thousand eight hundred thirty dollars (\$165,830) per annum.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.



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